

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Philip Brockman Hager

)

Case No: 24-34846

## Chapter 13

## OBJECTION TO CONFIRMATION

**COMES NOW**, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on January 13, 2025, for the cause as follows:

1. The Debtors filed this Chapter 13 Petition on December 27, 2024 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325(a)(4).
3. The trustee does not have sufficient evidence to determine if the above filed Chapter 13 Plan pays the equivalent distribution to unsecured creditors that they would receive under the Chapter 7 liquidation analysis, shown by:
  - a. The trustee requests an appraisal on the three parcels of real estate owned by the debtor located at 17226 Parsons Road, Beaverdam, VA 23015, and Parcel Nos. 7815-64-6825 and 7815-63-2552, as the combined tax assessments for the three parcels total \$ 403,000.00, much higher than disclosed on Schedule A.
  - b. The trustee requests proof of all Recorded Liens against the properties to include Schedule A as attached to the Deeds of Trust to analyze if the lien is attached to all three parcels.
  - c. The real estate consists of raw land, and is not the residential property of the debtor. The land is not producing income to offset the mortgage on the real estate, so it is not reasonable and necessary for the completion of this plan, especially if it has no equity.
  - d. The income on Form 122C Part I line 2 is understated based upon the year to date income on the last stub for 2024, as that average was \$20,416.00 from that stub. This should be an In Re Lanning increase as the debtor is above median if it is not the true six months of income.
  - e. The debtor overstates deductions on Form 122C Part II, lines 16, taxes, line 19 Support, as it is to be offset by the debtor paying a vehicle for his ex-spouse per the Final Decree of Divorce which is also deducted on line 33d.
  - f. The debtor deducts 4 vehicles on lines 33b, 33c, and 33d, and as stated above, one is supposed to be an offset for spousal support, and the retention of the three others is not reasonable and necessary for completion of the plan.

- g. The trustee suggests the debtor provide documentation to prove the value, and recorded liens on the real estate and to prove the lien extends to all parcels, to amend all schedules and forms to disclose full values of real estate, and amounts owed, and income and to amend the Plan to pay all required income and liquidation into the plan, and to surrender any unreasonable and unnecessary luxury items.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: February 10, 2025

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee

**Certificate of Service**

I hereby certify that on February 10, 2025, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Philip Brockman Hager, 583 Hazel Pl, Unit A, Richmond, VA 23233 and electronically sent to debtor's attorney, James E. Kane, Esquire, jkane@kaneandpapa.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re: Philip Brockman Hager ) Case No: 24-34846  
 ) Chapter 13

Debtor Address 583 Hazel Pl, Unit A  
Richmond, VA 23233

Last four digits of Social Security No(s): 2395

**NOTICE OF OBJECTION TO CONFIRMATION**

Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan, which was filed in this case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

  X   File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

           Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

X Attend the hearing on the objection scheduled to be held on **February 19, 2025** at **9:05 am** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5100.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: February 10, 2025

/s/Susan H. Call

Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee

**Certificate of Service**

I hereby certify that on February 10, 2025, I have mailed or hand-delivered a true copy of the foregoing Notice of Objection to Confirmation to the debtor(s), Philip Brockman Hager, 583 Hazel Pl, Unit A, Richmond, VA 23233 and electronically sent to debtor's attorney, James E. Kane, Esquire, [jkane@kaneandpapa.com](mailto:jkane@kaneandpapa.com).

/s/Susan H. Call

Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee